

## **REMARKS/ARGUMENTS**

### **1.) Claim Amendments**

Claims 1-42 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the following remarks.

### **2.) Claim Rejections – 35 U.S.C. § 102(e)**

Claims 1-42 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Ito (US 2002/0116285 A1). The Examiner's reconsideration of the claims and rejections based on the following remarks is respectfully requested.

Applicant respectfully submits that Ito discloses a method for a user to carry out a purchase transaction using a mobile device via a public land mobile network (PLMN3) (Abstract; paragraph 34). All communications with the user are made through the mobile device 1 and the public land mobile network 4 (Figs. 1 and 3; paragraphs 36-37, 39, 42, 44-46). The user does not use any other device to initiate or complete the transaction. In the Examiner's response to Applicant's previous arguments, the Examiner stated that "a subscriber using a mobile terminal (1) and a network operator using Internet access device for processing purchasing transaction wherein there are two different PLMN (3,3') connected through the Internet (6)" teaches "an Internet access device and mobile terminal being two separate devices and a first communication network and PLMN being two separate networks" (page 6, lines 12-18). Applicant respectfully disagrees for at least the following reasons.

First, the user, as recited in claim 1, uses two devices to complete the transaction (Internet access device and the mobile terminal). In contrast, the user in Ito only uses one device (mobile terminal) (Figs. 1 and 3; paragraphs 36-37, 39, 42, 44-46). As a result, Ito does not identically disclose all the elements recited in claim 1 as required by 35 U.S.C. § 102. Accordingly, Applicant respectfully submits that claim 1 is allowable under 35 U.S.C. § 102.

Second, the user's two devices (Internet access device and the mobile terminal), as recited in claim 1, use different networks (user's Internet access device over a first communication network and a mobile terminal using a public land mobile network). In

contrast, the user's one and only device (mobile terminal) in Ito always uses a public land mobile network and does not access any other communication network without accessing a public land mobile network first (Fig. 1). As a result, Ito does not identically disclose all the elements recited in claim 1 as required by 35 U.S.C. § 102. Accordingly, Applicant respectfully submits that claim 1 is allowable under 35 U.S.C. § 102.

Third, the Internet access device, as recited in claim 1, is used to: (1) present a first information set to the user; and (2) provide the transaction to the user. In contrast, the mobile station in Ito is the only device that presents and provides information to the user because: (1) the user's only interface is the mobile station (Fig. 1); and (2) the network operator's Internet access device (network accounting server): (a) receives an invoice from the mobile station; (b) checks the invoice, records the transaction, generates a receipt; and (c) sends the receipt to the mobile station (Fig. 3). As a result, Ito does not identically disclose all the elements recited in claim 1 as required by 35 U.S.C. § 102. Accordingly, Applicant respectfully submits that claim 1 is allowable under 35 U.S.C. § 102.

Claims 7, 16-18, 27 and 33 recite similar subject matter as recited in claim 1. As a result and for the same reasons presented above, Ito does not identically disclose all the elements recited in claims 7, 16-18, 27 and 33 as required by 35 U.S.C. § 102. Accordingly, Applicant respectfully submits that claims 7, 16-18, 27 and 33 are allowable under 35 U.S.C. § 102.

Claims 2-6, 8-15, 19-26, 28-32 and 34-42 depend from claims 7, 16-18, 27 and 33, and recite further limitations in combination with the novel elements of claims 7, 16-18, 27 and 33. As a result and for the same reasons presented above, Applicant respectfully submits that claims 2-6, 8-15, 19-26, 28-32 and 34-42 are allowable under 35 U.S.C. § 102.

The allowance of claims 1-42 is respectfully requested.

**3.) Prior Art Not Relied Upon**

In paragraph 5 on page 7 of the Office Action, the Examiner stated that the prior art made of record and not relied upon is considered pertinent to the Applicant's disclosure.

### **CONCLUSION**

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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